



Policy: 1061
Procedure: 1061.01
Chapter: Solicitation
Rule: Solicitation for Employee Organizations

Effective: 9/15/08
Replaces: N/A
Dated: N/A

Purpose:

Arizona Department of Juvenile Corrections (ADJC) employees lack contractual rights and are exempt from the Labor Management Relations Act. ADJC therefore establishes standards for solicitation and employee organizations.

Rules:

1. The **ADJC DIRECTOR** shall appoint a Labor Relations Liaison.
2. Organizational Recognition: The **ADJC DIRECTOR AND LABOR RELATIONS LIAISON OR DESIGNEE** shall establish a positive partnership and cultivate a professional relationship with employee organizations that qualify for recognition as prescribed in Arizona Administrative Code (AAC) R 2-11-301 thru 311.
 - a. **EMPLOYEE ORGANIZATIONS** requesting official recognition shall meet the following criteria:
 - i. Eligibility requirements for payroll deductions as prescribed in the Arizona Revised Statutes (ARS) §38-612;
 - ii. Primary purpose statement, as expressed in its bylaws, shall include:
 - (1) Promoting safety and welfare;
 - (2) Enhancing the professional image of ADJC; and
 - (3) Fostering intra and interagency relations.
 - b. An **EMPLOYEE ORGANIZATION THAT MEETS THIS CRITERIA** may request, in writing, certification as Qualifying Employee Organization from the Director. The **EMPLOYEE ORGANIZATION** shall send the request to the Director with the following:
 - i. The name and address of the organization;
 - ii. A copy of its charter, constitution and by-laws, if they exist, the names, titles, addresses and telephone numbers of its duly elected officers; and
 - iii. A statement that membership in the Employee Organization is open to all eligible employees of the Department and is not denied because of race, creed, color, gender, national origin, ancestry, religion or age.
 - c. Once certified as a Qualifying Employee Organization, the certification shall remain in effect for one year. To maintain certification the **QUALIFYING EMPLOYEE ORGANIZATION** shall update the information submitted in accordance with above directions on an annual basis.
3. Meeting With the Director: The **ADJC DIRECTOR OR DESIGNEE** may:
 - a. Meet with each recognized employee organization throughout the year and upon a predetermined schedule that ensures both frequent and equal access by each organization.
 - b. Grant designated employees up to eight hours of duty time per calendar quarter for attendance at organization meetings with the Director.
4. The **LABOR RELATIONS LIAISON OR DESIGNEE** shall notify affected Superintendents, Program Administrators, or designees of any scheduled meetings and identify organizational members who are authorized to attend.
5. Each **EMPLOYEE ORGANIZATION CHAIR, ELECTED OFFICIAL OR DESIGNEE** shall:
 - a. Consistent with a published meeting schedule, contact the Labor Relations Liaison or designee 30-40 days before a scheduled meeting with the Director;

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- b. Provide the Labor Relations Liaison or designee with a list of discussion topics and members who will be attending the meeting;
 - c. Regulate the attendance at each meeting by ensuring that a representative from each geographical area of the agency is represented to ensure that a shortage of employees is not created from any one particular secure facility or unit.
 - d. Notify its members of the time, date, and location of scheduled meetings.
 - i. **EMPLOYEES** shall seek approval from their first-line supervisor if they are scheduled for shift work during a meeting before attending any meetings with the Director relating to employee organization matters;
 - ii. **EMPLOYEES** will not earn overtime if the meeting is held outside their normal work schedule.
- 6. The **EMPLOYEE ORGANIZATION CHAIR, ELECTED OFFICIAL, OR DESIGNEE** may use state vehicles when traveling to and attending an employee organization meeting with the Director, Deputy Director or designee.
 - a. The **EMPLOYEE ORGANIZATION CHAIR, ELECTED OFFICIAL, OR DESIGNEE** shall follow Procedure 2470.01 Use of State Vehicle.
- 7. The **DIRECTOR, LABOR RELATIONS LIAISON, OR DESIGNEE** shall:
 - a. Document meeting discussions;
 - b. Not provide or produce formal minutes to the employee organizations;
 - c. Provide written feedback on unresolved issues after appropriate research or a management review has been completed.
- 8. The **LABOR RELATIONS LIAISON OR DESIGNEE** shall process all requests for solicitations occurring within Central Office and/or secure facilities.
 - a. The **SOLICITOR** shall make a request for approval by submitting Solicitation Request and Approval Form 1061.01A to the ADJC Director a minimum of 20 days in advance of the events;
 - b. The **DIRECTOR** shall send the approved/disapproved form within five days to the Labor Relations Liaison or designee.
 - c. The **LABOR RELATIONS LIAISON OR DESIGNEE** shall:
 - i. Send the approved form to the Director of the Arizona Department of Administration (ADOA) a minimum 15 days prior to any events;
 - ii. Receive the approved/disapproved form back from the ADOA Director;
 - iii. Send the approved/disapproved form to the solicitor with appropriate permissions and restrictions.
 - d. Upon approval, The **SOLICITOR** shall abide by the following permissions and restrictions:
 - i. Permitted solicitation activities include, but are not limited to, providing recruitment handout materials and leaflets, and answering employee questions;
 - ii. Solicitation activities at the secure facilities shall be restricted to designated areas and shall not interfere with facility operations, employees, or create an undue public spectacle;
 - iii. The designated area shall be of reasonable size, in a location which maximizes exposure to employees, but does not interfere with operations;
 - iv. Activities may include a provision to hand out materials and/or answer questions;
 - v. Organizational members may wear authorized department polo shirts
 - vi. Solicitation activities at Central Office may be restricted to the following locations upon approval of ADJC Director:
 - (1) Central Office break-room (first floor);
 - (2) A training room at 1616 West Adams basement.
- 9. **EMPLOYEE ORGANIZATIONS** may utilize up to one-fourth of an approved and designated bulletin board.
 - a. The **SUPERINTENDENT, PROGRAM ADMINISTRATOR OR DESIGNEE** shall remove any material deemed inappropriate without providing any prior notification;

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- b. **EMPLOYEE ORGANIZATIONS** shall submit any challenges to the removed material to the Director;
- c. **EMPLOYEE ORGANIZATIONS** shall not use any state materials, supplies, or equipment other than the provided bulletin boards for solicitation purposes.

Effective Date

9/15/08

Approved by

Michael D. Branham, Director